

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

BILL LIETZKE,)	
)	
Plaintiff,)	
)	
)	
v.)	
)	CIVIL ACTION NO. 2:07CV324-WHA
BOBBY BRIGHT, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On May 1, 2007, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed (Doc. #12). After review of the Recommendation, and after an independent review of the entire record, the Court believes that the Recommendation should be adopted.

Accordingly, it is ORDERED and ADJUDGED that Plaintiff's claims be dismissed without prejudice for the following reasons:

1. pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the plaintiff's failure to state a claim on which relief may be granted; and
2. pursuant to 28 U.S.C. § 1915(e)(2)(B)(iii) on the basis of Defendants' immunity from suit.
3. Plaintiff does not have an enforceable right to institute a criminal prosecution.

An appropriate judgment will be entered.

Done this the 16th day of May, 2007.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
UNITED STATES DISTRICT JUDGE